

August 3, 2022

VIA ECF

The Honorable Jesse M. Furman
 United States District Court
 Southern District of New York
 Thurgood Marshall Courthouse
 40 Foley Square
 New York, New York 10007

Re: *Sjunde AP-Fonden, et al. v. General Electric Co., et al.*, No. 17 Civ. 8457 (JMF)

Dear Judge Furman:

Pursuant to the Court's Order of June 2, 2022 (ECF No. 338) ("Order"), counsel for Plaintiffs and Defendants jointly submit this letter to provide the Court with a proposal regarding upcoming motion practice, as well as an update about efforts to reach a settlement.

Motion Practice Proposals. Pursuant to the Court's Order and discussions with the Court on June 2, 2022, the parties have conferred and propose the following schedule for summary judgment and any *Daubert* motions bearing upon summary judgment arguments.¹ In light of the complexity of the issues and the extensive discovery conducted in this case, the parties respectfully request that their opening and opposition memoranda of law for summary judgment be limited to 50 pages, and that the reply memorandum be limited to 25 pages.

Defendants' motion for Summary Judgment, and <i>Daubert</i> motion	Sep. 6, 2022 ²
Plaintiffs' opposition to Summary Judgment, opposition to Defendants' <i>Daubert</i> , and <i>Daubert</i> motion	Nov. 6, 2022
Defendants' reply for Summary Judgment, reply for <i>Daubert</i> , and opposition to Plaintiffs' <i>Daubert</i>	Dec. 5, 2022
Plaintiffs' reply for <i>Daubert</i>	Dec. 22, 2022

Settlement. The parties will conduct a mediation session before a private mediator on August 11, 2022.

¹ The parties request to reserve the right to move to exclude any remaining expert opinions that do not bear upon summary judgment arguments in connection with trial.

² The proposed deadlines herein, except for the December 22, 2022 deadline for Plaintiffs' *Daubert* reply, conform to the dates previously set forth in the parties' joint letter of May 26, 2022 (ECF No. 335).

Hon. Jesse M. Furman
August 3, 2022
Page 2

Respectfully submitted,³

KESSLER TOPAZ MELTZER & CHECK, LLP

By: /s/ Sharan Nirmul
Sharan Nirmul
280 King of Prussia Road Radnor, PA 19087
Tel: (610) 667-7706
Fax: (610) 667-7056
Email: snirmul@ktmc.com

Counsel for Class Representative Sjunde AP-Fonden and Lead Counsel for the Class

LATHAM & WATKINS LLP

By: /s/ William J. Trach
William J. Trach (*pro hac vice*)
200 Clarendon Street Boston, MA 02116
Tel: (617) 948-6000
Fax: (617) 948-6001
Email: william.trach@lw.com

Counsel for Defendants General Electric Company and Jeffrey S. Bornstein

GRANT & EISENHOFER P.A

By: /s/ Daniel Berger
Daniel Berger
485 Lexington Avenue New York, NY 10017
Tel: (646) 722-8500
Fax: (610) 722-8501
Email: dberger@gelaw.com

*Counsel for Class Representative The Cleveland Bakers and Teamsters Pension Fund and
Liaison Counsel for the Class*

³ The parties use electronic signatures with consent in accordance with Rule 8.5(b) of the Court's ECF Rules and Instructions.